

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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SUPERB MOTORS INC., TEAM AUTO SALES LLC, ROBERT ANTHONY URRUTIA, 189 SUNRISE HWY AUTO LLC, NORTHSHORE MOTOR LEASING, LLC, BRIAN CHABRIER, individually and derivatively as a member of NORTHSHORE MOTOR LEASING, LLC, JOSHUA AARONSON, individually and derivatively as a member of 189 SUNRISE HWY AUTO, LLC, JORY BARON, 1581 HYLAN BLVD AUTO LLC, 1580 HYLAN BLVD AUTO LLC, 1591 HYLAN BLVD AUTO LLC, 1632 HYLAN BLVD AUTO LLC, 1239 HYLAN BLVD AUTO LLC, 2519 HYLAN BLVD AUTO LLC, 76 FISK STREET REALTY LLC, 446 ROUTE 23 AUTO LLC and ISLAND AUTO MANAGEMENT, LLC,

Plaintiffs,

-against-

ANTHONY DEO, SARAH DEO, HARRY THOMASSON, DWIGHT BLANKENSHIP, MARC MERCKLING, MICHAEL LAURIE, THOMAS JONES, CPA, CAR BUYERS NYC INC., GOLD COAST CARS OF SYOSSET LLC, GOLD COAST CARS OF SUNRISE LLC, GOLD COAST MOTORS AUTOMOTIVE GROUP LLC, GOLD COAST MOTORS OF LIC LLC, GOLD COAST MOTORS OF ROSLYN LLC, GOLD COAST MOTORS OF SMITHTOWN LLC, UEA PREMIER MOTORS CORP., DLA CAPITAL PARTNERS INC., JONES, LITTLE & CO., CPA'S LLP, FLUSHING BANK, LIBERTAS FUNDING LLC, and J.P. MORGAN CHASE BANK, N.A.,

Defendants.

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Case No.: 2:23-cv-6188 (JMW)

**DECLARATION OF
EMANUEL KATAEV, ESQ. IN
OPPOSITION TO DEFENDANTS'
ANTHONY DEO, SARAH DEO,
HARRY THOMASSON, DWIGHT
BLANKENSHIP, MARC
MERCKLING, MICHAEL LAURIE,
THOMAS JONES, CPA, CAR
BUYERS NYC INC., GOLD COAST
CARS OF SYOSSET LLC, GOLD
COAST CARS OF SUNRISE LLC,
GOLD COAST MOTORS
AUTOMOTIVE GROUP LLC, GOLD
COAST MOTORS OF LIC LLC,
GOLD COAST MOTORS OF
ROSLYN LLC, GOLD COAST
MOTORS OF SMITHTOWN LLC,
UEA PREMIER MOTORS CORP.,
DLA CAPITAL PARTNERS INC.,
JONES, LITTLE & CO., CPA'S LLP,
LIBERTAS FUNDING LLC, and J.P.
MORGAN CHASE BANK, N.A.'S
MOTIONS TO DISMISS AND IN
SUPPORT OF PLAINTIFFS'
CROSS-MOTION FOR LEAVE TO
AMEND THE PLEADINGS**

Emanuel Kataev, Esq., declares, pursuant to 28 U.S.C. § 1746, under penalty of perjury,
that the following is true and correct:

1. I am admitted to practice before this Court and am a member of Sage Legal LLC, who – together with Milman Labuda Law Group PLLC and Cyruli Shanks & Zizmor LLP – are attorneys for the Plaintiffs in this case.

2. As such, I am familiar with all the facts and circumstances heretofore had herein based upon my personal knowledge and a review of the file maintained by this office.

3. Attached hereto as **Exhibit “A”** is a true and correct copy of the Plaintiffs’ proposed third amended complaint.

4. Attached hereto as **Exhibit “B”** is a true and correct copy of a red-lined comparison between the operative complaint, i.e., Plaintiffs’ first amended complaint (at ECF Docket Entry 65), and Plaintiffs’ proposed third amended complaint.

5. Attached hereto as **Exhibit “C”** is a true and correct copy of a red-lined comparison between the Plaintiffs’ proposed second amended complaint (submitted in opposition to Defendant Flushing Bank’s motion to dismiss), and Plaintiffs’ proposed third amended complaint.

I declare under penalty of perjury that the foregoing is true and correct. Executed on March 29, 2024.

/s/ Emanuel Kataev, Esq.
Emanuel Kataev, Esq.